

6 June 1969

MEMORANDUM FOR THE RECORD

SUBJECT: S. 782

1. I called on Larry Conrad, Staff Director, Senate Subcommittee on Constitutional Amendments, in response to his request that I come in to see him. Conrad had a letter addressed to Senator Birch Bayh (D., Ind.) from Senator Sam J. Ervin (D., N.C.) outlining Ervin's proposed course of action on S. 782. Conrad asked that I bring him up-to-date on the Agency's position on this bill, which I did, and I also reminded him that Senator Bayh in the last Congress supported a full Agency exemption from the bill and that I presumed he still does. Conrad said he believed this to be true.

2. Conrad said the Senator has asked that he prepare an answer to Ervin's letter, and he proposes a draft along the lines that they still support S. 782; that they still believe the Agency should have full exemption from the bill, and that they feel the appearance of the Director before the Subcommittee in executive session would be useful to the members of the Subcommittee in understanding the Agency's objections to the bill, but that if Senator Ervin cannot agree to the Director's appearance in executive session, they believe it would be useful for him to appear before the members of the Subcommittee informally.

3. Conrad suggested that I prepare material for the Senator to use on the floor in the event we fail to obtain a full exemption in the Subcommittee or full Committee. I told Conrad that we had had advice from several members of the Senate not to attempt to fight the bill on the floor, but that I would look into the question of preparing the material for Senator Bayh and we could discuss the question of a floor fight later.

4. A copy of Senator Ervin's letter to Senator Bayh is attached.

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Assistant Legislative Counsel

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